

By: *[Signature]*
(Ogden)

S. B. No. 193

A BILL TO BE ENTITLED

AN ACT

relating to disadvantaged county designation for purposes of financing a highway project.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. ^{Subsection (a),} Section 222.053(a), Transportation Code, is amended to read as follows:

(a) In this section, "economically disadvantaged county" means a county that has a per capita taxable property value that is less than one-half the average per capita taxable property value of counties in the state, or in comparison to other counties in the state, ^{has:}

(1) below average per capita taxable property value;

(2) below average per capita income; and

(3) above average unemployment.

→ *Insert C.A. #1 as amended by F.A. #1*
SECTION 2. This Act takes effect September 1, 1999.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

5-10-99
5-18-99/w 10.A. #1
1.F.A.

1-1 By: Ogden S.B. No. 193
1-2 (In the Senate - Filed January 19, 1999; January 28, 1999,
1-3 read first time and referred to Committee on State Affairs;
1-4 May 10, 1999, reported favorably, as amended, by the following
1-5 vote: Yeas 7, Nays 1; May 10, 1999, sent to printer.)

1-6 COMMITTEE AMENDMENT NO. 1 By: Cain

1-7 Amend S.B. No. 193 (introduced version) as follows:

1-8 (1) Add a new SECTION 2 and SECTION 3 to read as follows:

1-9 "SECTION 2. In order to comply with the change in law made
1-10 by this Act, the Texas Transportation Commission may not expend
1-11 more funds in any fiscal year of the 2000-2001 biennium to adjust
1-12 the minimum local matching funds requirement of economically
1-13 disadvantaged counties than what was expended for that purpose in
1-14 fiscal year 1999.

1-15 SECTION 3. This Act takes effect only if a specific
1-16 appropriation for the implementation of this Act is provided in
1-17 H.B. No. 1 (General Appropriations Act), Acts of the 76th
1-18 Legislature, Regular Session, 1999. If no specific appropriation
1-19 is provided in H.B. 1, the General Appropriations Act, this Act has
1-20 no effect."

1-21 (2) Renumber subsequent SECTIONS appropriately.

1-22 A BILL TO BE ENTITLED
1-23 AN ACT

1-24 relating to disadvantaged county designation for purposes of
1-25 financing a highway project.

1-26 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-27 SECTION 1. Subsection (a), Section 222.053, Transportation
1-28 Code, is amended to read as follows:

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1-30 means a county that has a per capita taxable property value that is
1-31 less than one-half the average per capita taxable property value of
1-32 counties in the state or, in comparison to other counties in the
1-33 state, has:

1-34 (1) below average per capita taxable property value;

1-35 (2) below average per capita income; and

1-36 (3) above average unemployment.

1-37 SECTION 2. This Act takes effect September 1, 1999.

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1-39 crowded condition of the calendars in both houses create an
1-40 emergency and an imperative public necessity that the
1-41 constitutional rule requiring bills to be read on three several
1-42 days in each house be suspended, and this rule is hereby suspended.

1-43 * * * * *

FAVORABLY AS AMENDED
SENATE COMMITTEE REPORT ON

(SB) SCR SJR SR HB HCR HJR 193
By Cigden
(Author/Senate Sponsor)
5/10/99
(date)

We, your Committee on STATE AFFAIRS, to which was referred the attached measure,
have on 5/6/99, had the same under consideration and I am instructed to report it
(date of hearing)
back with the recommendation (s) that it:

- (✓) do pass with 1 amendments, and be printed
() do pass with _____ amendments, and be ordered not printed
() and is recommended for placement on the Local and Uncontested Bills Calendar.

A fiscal note was requested. (✓)yes () no

A revised fiscal note was requested. (✓)yes () no

An actuarial analysis was requested. () yes () no

Considered by subcommittee. (✓)yes () no

The measure was reported from Committee by the following vote:

	YEA	NAY	ABSENT	PNV
Senator Shapiro, Chair	✓			
Senator Shapleigh, Vice-Chair		✓		
Senator Bernsen	✓			
Senator Brown			✓	
Senator Cain	✓			
Senator Haywood	✓			
Senator Lucio	✓			
Senator Nixon	✓			
Senator Wentworth	✓			
TOTAL VOTES	7	1	1	0

COMMITTEE ACTION

S260 Considered in public hearing
S270 Testimony taken

R. Wentworth
COMMITTEE CLERK

Shapiro
CHAIRMAN

Paper clip the original and one copy of this signed form to the original bill along with THREE signed copies of each committee amendment adopted
Retain one copy of this form for Committee files

WITNESS LIST

SB 193
SENATE COMMITTEE REPORT
Subcommittee on Infrastructure Committee

April 27, 1999 - 8:30A

For: Meyer, Hon. Michael W. (Falls County), Marlin

Neely, Hon. Cecil N. (Madison County), Madisonville

On: Laney, David (Texas Transportation Commission), Austin

Registering, but not testifying:

For: Allison, Jim (County Judges & Commissioners Association of
Texas), Austin

Lewis, Jerry (North & East Judges & Commissioners
Association), Gainsville

Velasquez, Sally (Web County & Willacy County), Austin

Walker, Helen R. (Victoria County & County Judges &
Commissioners Association), Victoria

Wheless, Skipper (West Texas County Judges & Commissioners
Association), Ballinger

On: Heald, Charles "Wes" (Texas Department of Transportation),
Austin

BILL ANALYSIS

Senate Research Center
76R3360 WP-D

S.B. 193
By: Ogden
State Affairs
5/9/1999
Committee Report (Amended)

DIGEST

Currently, Texas law establishes a definition of "economically disadvantaged county" to authorize the Texas Department of Transportation to adjust the minimum local matching funds requirement for those counties who qualify for the designation. In order to qualify, a county must have a below average per capita taxable property value, below average per capita income, and an above average unemployment rate. S.B. 193 would authorize a county to qualify for the designation if the county has a per capita taxable property value that is less than one-half the average per capita taxable property value of counties in the state.

PURPOSE

As proposed, S.B. 193 redefines the term "economically disadvantaged county" for purposes of financing a highway project.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 222.053(a), Transportation Code, to redefine "economically disadvantaged county" as a county that has a per capita taxable property value that is less than one-half the average per capita taxable property value of counties in the state. Makes conforming changes.

SECTION 2. Prohibits the Texas Transportation Commission from (commission) expending more funds in any fiscal year of the 2000-2001 biennium to adjust the minimum local matching funds requirement of economically disadvantaged counties than what was expended for that purpose in fiscal year 1999.

SECTION 3. Provides that this Act takes effect only if a specific appropriation for the implementation of this Act is provided in H.B. 1 (General Appropriation Act), Acts of the 75th Legislature, Regular Session, 1999. Provides that this Act has no effect, if no specific appropriation is provided in H.B.1, the General Appropriations Act.

SECTION 4. Effective date: September 1, 1999.

SECTION 5. Emergency clause.

SUMMARY OF COMMITTEE CHANGES

SECTION 2.

Adds a new SECTION 2 to prohibit the commission from expending more funds in any fiscal year of the 2000-2001 biennium to adjust the minimum local matching funds requirement of economically disadvantaged counties than what was expended for that purpose in fiscal year 1999.

SECTION 3.

Adds a new SECTION 3 to provide that this Act takes effect only if a specific appropriation for the implementation of this Act is provided in H.B. 1 (General Appropriation Act), Acts of the 75th

Legislature, Regular Session, 1999. Provides that this Act has no effect, if no specific appropriation is provided in H.B.1, the General Appropriations Act.

Renumbers existing SECTIONS accordingly.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 76th Regular Session

May 8, 1999

TO: Honorable Florence Shapiro, Chair, Senate Committee on State Affairs

FROM: John Keel, Director, Legislative Budget Board

IN RE: SB193 by Ogden (relating to disadvantaged county designation for purposes of financing a highway project), **Committee Report 1st House, as amended**

Estimated Two-year Net Impact to General Revenue Related Funds for SB193, Committee Report 1st House, as amended: impact of \$0 through the biennium ending August 31, 2001.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Net Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2000	\$0
2001	0
2002	0
2003	0
2004	0

All Funds, Five-Year Impact:

Fiscal Year	Probable Cost from <i>State Highway Fund</i> 0006
2000	\$ 0
2001	0
2002	(16,500,000)
2003	(16,500,000)
2004	(16,500,000)

Fiscal Analysis

The bill would amend the definition of "economically disadvantaged county" to add a singular criterion under which a county may be so designated, "per capita taxable property value that is less than one-half the average per capita taxable value of counties in the state."

The bill states that the Texas Transportation Commission may not expend more funds in any fiscal year of the 2000-2001 biennium to adjust the minimum local matching funds requirement of economically disadvantaged counties than what was expended for that purpose in fiscal year 1999.

This Act takes effect only if a specific appropriation for the implementation of this Act is provided in the General Appropriations Act.

Methodology

The Texas Department of Transportation estimates the new definition would add 56 counties to the existing 53 for a total of 109 counties that could be exempted from providing certain matching funds.

Local Government Impact

The Savings in Program costs to local governments is estimated to be \$16,500,000 each year for FY 2002 through FY 2004.

Source Agencies: 601 Dept Of Transportation
LBB Staff: JK, SD, ML

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 76th Regular Session

February 11, 1999

TO: Honorable David Cain, Chair, Senate Subcommittee on Infrastructure

FROM: John Keel, Director, Legislative Budget Board

IN RE: SB193 by Ogden (Relating to disadvantaged county designation for purposes of financing a highway project.), **As Introduced**

Two-year Net Impact to General Revenue Related Funds for SB193, As Introduced: positive impact of \$0 through the biennium ending August 31, 2001.

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Source Agencies: 601 Dept Of Transportation
LBB Staff: JK, SD, ML

ADOPTED

MAY 18 1999

Butte King
Secretary of the Senate

FLOOR AMENDMENT NO. 1

BY *Ogden*

1 Amend S.B. 193 (Senate Committee Report) on page 1 by striking
2 SECTION 3 of the bill in its entirety and renumbering subsequent
3 SECTIONS appropriately.

Amends C.A. #1

Floor Am. #1
5-18-99

ADOPTED

MAY 18 1999

Butty Ling
Secretary of the Senate

Ca

COMMITTEE AMENDMENT NO. 1

Amend S.B. 193 (introduced version) as follows:

(1) Add a new SECTION 2 and SECTION 3 to read as follows:

g
SECTION 2. In order to comply with the change in law made by this Act, the *Texas Transportation* commission may not expend more funds in any fiscal year of the 2000-2001 biennium to adjust the minimum local matching funds requirement of economically disadvantaged counties than what was expended for that purpose in fiscal year 1999.

~~SECTION 3. This Act takes effect only if a specific appropriation for the implementation of this Act is provided in H.B. No. 1 (General Appropriations Act), Acts of the 76th Legislature, Regular Session, 1999. If no specific appropriation is provided in H.B. 1, the General Appropriations Act, this Act has no effect."~~

F.A. #1

(2) Renumber subsequent SECTIONS appropriately.

*Com. Am. #1, as amended
5-18-99 by F.A. 1*

AS. 1. 1

May 18 1999 Engrossed
Kathy Law
Engrossing Clerk

OFFICE OF THE CLERK
OF THE TEXAS LEGISLATURE
RECEIVED

By: Ogden
(Williams)

S.B. No. 193

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7 means a county that has a per capita taxable property value that is
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9 counties in the state or, in comparison to other counties in the
10 state, has:

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16 funds in any fiscal year of the 2000-2001 biennium to adjust the
17 minimum local matching funds requirement of economically
18 disadvantaged counties than what was expended for that purpose in
19 fiscal year 1999.

20 SECTION 3. This Act takes effect September 1, 1999.

21 SECTION 4. The importance of this legislation and the
22 crowded condition of the calendars in both houses create an
23 emergency and an imperative public necessity that the
24 constitutional rule requiring bills to be read on three several

S.B. No. 193

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LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 76th Regular Session

May 8, 1999

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Local Government Impact

The Savings in Program costs to local governments is estimated to be \$16,500,000 each year for FY 2002 through FY 2004.

Source Agencies: 601 Dept Of Transportation

LBB Staff: JK, SD, ML

LEGISLATIVE BUDGET BOARD
Austin, Texas

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Source Agencies: 601 Dept Of Transportation
LBB Staff: JK, SD, ML

HOUSE COMMITTEE REPORT

1st Printing

99 MAY 22 AM 12:30
HOUSE OF REPRESENTATIVES

By: Ogden
(Williams)

S.B. No. 193

A BILL TO BE ENTITLED

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10 state, has:

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15 this Act, the Texas Transportation Commission may not expend more
16 funds in any fiscal year of the 2000-2001 biennium to adjust the
17 minimum local matching funds requirement of economically
18 disadvantaged counties than what was expended for that purpose in
19 fiscal year 1999.

20 SECTION 3. This Act takes effect September 1, 1999.

21 SECTION 4. The importance of this legislation and the
22 crowded condition of the calendars in both houses create an
23 emergency and an imperative public necessity that the
24 constitutional rule requiring bills to be read on three several

COMMITTEE REPORT

The Honorable James E. "Pete" Laney
Speaker of the House of Representatives

5/21/99
(date)

Sir:

We, your COMMITTEE ON TRANSPORTATION
to whom was referred SB 193 have had the same under consideration and beg to report
back with the recommendation that it

(X) do pass, without amendment.
() do pass, with amendment(s).
() do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.
() yes (X) no A fiscal note was requested.
() yes (X) no A criminal justice policy impact statement was requested.
() yes (X) no An equalized educational funding impact statement was requested.
() yes (X) no An actuarial analysis was requested.
() yes (X) no A water development policy impact statement was requested.
() yes (X) no A tax equity note was requested.
() The Committee recommends that this measure be sent to the Committee on Local and Consent Calendars.

For Senate Measures: House Sponsor Williams

Joint Sponsors: / / /

Co-Sponsors:

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Alexander, Chair	X			
Siebert, Vice-chair				X
Davis, Y.	X			
Edwards	X			
Hamric	X			
Hawley	X			
Hill	X			
Noriega	X			
Uher	X			

Total

8 aye
0 nay
0 present, not voting
1 absent

CHAIR

Clyde Alexander

BILL ANALYSIS

Office of House Bill Analysis

S.B. 193
By: Ogden
State Affairs
5/21/1999
Engrossed

BACKGROUND AND PURPOSE

Current law provides a definition for an "economically disadvantaged county." The Texas Department of Transportation adjusts the minimum local matching funds requirement for those counties who qualify for this designation. In order to qualify, a county must have a below average per capita taxable property value, below average per capita income, and an above average unemployment rate. S.B. 193 redefines the term "economically disadvantaged county" for purposes of financing a highway project.

RULEMAKING AUTHORITY

It is the opinion of the Office of House Bill Analysis that this bill does not expressly delegate any additional rulemaking authority to a state officer, department, agency, or institution.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 222.053(a), Transportation Code, to redefine "economically disadvantaged county" as a county that has a per capita taxable property value that is less than one-half the average per capita taxable property value of counties in the state. Makes a conforming change.

SECTION 2. Prohibits the Texas Transportation Commission from expending more funds in any fiscal year of the 2000-2001 biennium to adjust the minimum local matching funds requirement of economically disadvantaged counties than what was expended for that purpose in fiscal year 1999.

SECTION 3. Effective date: September 1, 1999.

SECTION 4. Emergency clause.

SUMMARY OF COMMITTEE ACTION

SB 193

May 21, 1999 upon adjournment
Considered in formal meeting
Reported favorably without amendment(s)

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 76th Regular Session

May 8, 1999

TO: Honorable Florence Shapiro, Chair, Senate Committee on State Affairs

FROM: John Keel, Director, Legislative Budget Board

IN RE: SB193 by Ogden (Relating to disadvantaged county designation for purposes of financing a highway project.), **Committee Report 1st House, as amended**

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Local Government Impact

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Source Agencies: 601 Dept Of Transportation

LBB Staff: JK, SD, ML

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 76th Regular Session

February 11, 1999

TO: Honorable David Cain, Chair, Senate Subcommittee on Infrastructure

FROM: John Keel, Director, Legislative Budget Board

IN RE: SB193 by Ogden (Relating to disadvantaged county designation for purposes of financing a highway project.), **As Introduced**

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Source Agencies: 601 Dept Of Transportation
LBB Staff: JK, SD, ML

S.B. No. 193

By Cgd

A BILL TO BE ENTITLED

AN ACT:

Relating to disadvantaged county designation for purposes of financing a highway project.

1-19-99
JAN 28 1999

Filed with the Secretary of the Senate

SUBCOMMITTEE ON
INFRASTRUCTURE

Read and referred to Committee on

MAY 10 1999

Reported favorably as amended

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

Ordered not printed

Laid before the Senate

MAY 18 1999

Senate and Constitutional Rules to permit consideration suspended by:

{ unanimous consent
26 yeas, 4 nays

MAY 18 1999

Read second time, amended, and ordered engrossed by:

{ unanimous consent
a viva voce vote
____ yeas, ____ nays

MAY 18 1999

Senate and Constitutional 3 Day Rule suspended by a vote of 26 yeas, 4 nays.

MAY 18 1999

Read third time, _____, and passed by:

{ A viva voce vote
____ yeas, ____ nays

Larry King

SECRETARY OF THE SENATE

OTHER ACTION:

May 18, 1999

Engrossed

May 18, 1999

Sent to House

Engrossing Clerk

Patsy Spaw

MAY 18 1999

Received from the Senate

MAY 19 1999

Read first time and referred to Committee on

Transportation

MAY 21 1999

Reported _____ favorably (~~as amended~~) (~~as substituted~~)

MAY 22 1999

Sent to Committee on (Calendars) (~~Local & Consent Calendars~~)

Read second time (comm. subst.) (amended); passed to third reading (failed) by a (non-record vote) (record vote of _____ yeas, _____ nays, _____ present, not voting)

Constitutional rule requiring bills to be read on three several days suspended (failed to suspend) by a vote of _____ yeas, _____ nays, _____ present, not voting.

Read third time (amended); finally passed (failed to pass) by a (non-record vote) (record vote of _____ yeas, _____ nays, _____ present, not voting)

Returned to Senate.

Returned from House without amendment.

Returned from House with _____ amendments.

Concurred in House amendments by a viva voce vote _____ yeas, _____ nays.

CHIEF CLERK OF THE HOUSE

_____ Refused to concur in House amendments and requested the appointment of a Conference Committee to adjust the differences.

_____ Senate conferees instructed.

_____ Senate conferees appointed: _____, Chairman; _____
_____, _____, and _____

_____ House granted Senate request. House conferees appointed: _____, Chairman;
_____, _____, _____

_____ Conference Committee Report read and filed with the Secretary of the Senate.

_____ Conference Committee Report adopted on the part of the House by: _____

{ a viva voce vote
_____ yeas, _____ nays

_____ Conference Committee Report adopted on the part of the Senate by:

{ a viva voce vote
_____ yeas, _____ nays

OTHER ACTION:

_____ Recommitted to Conference Committee

_____ Conferees discharged.

_____ Conference Committee Report failed of adoption by: _____

{ a viva voce vote
_____ yeas, _____ nays

99 MAY 22 AM 12:30
HOUSE OF REPRESENTATIVES